

1 DAVID S. WILSON, III, ESQ. State Bar No. 174947  
2 dswilson@fedex.com  
3 STACEY O. JUE, ESQ., State Bar No. 231429  
4 stacey.jue@fedex.com  
5 FEDERAL EXPRESS CORPORATION  
6 2601 Main Street, Suite 340  
7 Irvine, California 92614  
8 Telephone: (949) 862-4638  
9 Facsimile: (949) 862-4605

10  
11 Attorneys for Defendant  
12 FEDERAL EXPRESS CORPORATION

13 PAUL B. JUSTI, ESQ., State Bar No. 124727  
14 18 Crow Canyon Court, Suite 160  
15 San Ramon, CA 94583  
16 Telephone: (925) 837-9677  
17 Facsimile: (925) 837-0548

18 Attorney for Plaintiff  
19 ANTHONY YARBER

20  
21  
22  
23  
24  
25  
26  
27  
28  
**UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF CALIFORNIA-SAN FRANCISCO DIVISION**

10 ANTHONY YARBER,

CASE NO.: C07-02695 CRB

11 Plaintiff,

**STIPULATED ENTRY OF  
DISMISSAL WITH PREJUDICE**

12 vs.

[Proposed Order filed concurrently  
herewith]

13 FEDERAL EXPRESS  
14 CORPORATION, a business entity;  
15 and DOES 1-25, inclusive,

16 Defendants.

17 Now come the parties, ANTHONY YARBER ("Plaintiff") and Defendant  
18 FEDERAL EXPRESS CORPORATION by and through counsel, and pursuant to

1 Rule 41(a)(1) file this Stipulated Entry Of Dismissal With Prejudice of Plaintiff's  
2 above-styled action, with each party to bear its or her own costs and fees.  
3

4 Plaintiff's above-styled action, styled *Anthony Yarber v. Federal Express*  
5 *Corporation*, Case No. C07-02695 CRB (originally filed as Case No. RG 07321738 in  
6 the Superior Court of California for the County of Alameda) is accordingly dismissed  
7 with prejudice. Each party shall be responsible for their own costs and attorneys fees.  
8

9 **ORDER**

10 **IT IS SO ORDERED**

12 Dated: \_\_\_\_\_, 2008

13 Honorable Charles R. Breyer  
14 U.S. District Judge

15 **SUBMITTED**

17 Dated: January 18, 2008

19 By:

20 Paul B. Justi  
21 Law Offices of Paul B. Justi  
18 Crow Canyon Court, Suite 160  
22 San Ramon, CA 94583  
T: (925) 837-9677  
F: (925) 837-0548

23 Attorney for Plaintiff  
24 ANTHONY YARBER

By:

Stacey Jue, <sup>ESQ</sup>  
2601 Main Street, Suite 340  
Irvine, CA 92614  
T: (949) 862-4558  
F: (949) 862-4605

25 Attorney for Defendant  
26 FEDERAL EXPRESS CORPORATION

27 715183

28

## CERTIFICATE OF SERVICE

I declare that I am employed with the Legal Department of Federal Express Corporation, whose address is 2601 Main Street, Suite 340, Irvine, California 92614. I am not a party to the within cause, and I am over the age of eighteen years.

I further declare that on January 28, 2008, I served a copy of:

## **STIPULATED ENTRY OF DISMISSAL WITH PREJUDICE**

- BY U.S. MAIL** [Fed. Rule Civ. Proc. rule 5(b)] by placing a true copy thereof enclosed in a sealed envelope with postage thereon fully prepaid, addressed as follows, for collection and mailing at FedEx, 2601 Main Street, suite 340, Irvine, California 92614 in accordance with FedEx's ordinary business practices.

I am readily familiar with FedEx's practice for collection and processing of correspondence for mailing with the United States Postal Service, and know that in the ordinary course of FedEx's business practice the document(s) described above will be deposited with the United States Postal Service on the same date that it (they) is (are) placed at FedEx with postage thereon fully prepaid for collection and mailing.

**Paul B. Justi, Esq.  
Law Offices of Paul B. Justi  
18 Crow Canyon Court, Suite 160  
San Ramon, CA 94583  
Tel: 925-837-9677 / Fax: 925-837-0548  
Attorney for Plaintiff Anthony Yarber**

I declare under penalty of perjury that the foregoing is true and correct. I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made.

Executed at Irvine, California, this 28 day of January, 2008.

Deborah A. Purnell  
Deborah A. Purnell